



Signed and Filed: December 5, 2023

A handwritten signature in black ink, reading "Dennis Montali", is positioned above the printed name of the judge.

DENNIS MONTALI
U.S. Bankruptcy Judge

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Victoria Castro

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re

The Roman Catholic Archbishop of San
Francisco,

Debtor.

) Case No.: 23-30564

) Chapter 11

) RS No. CCR-507

) ORDER GRANTING MOTION
) FOR RELIEF FROM STAY TO
) PROCEED WITH STATE COURT
) LITIGATION

) Date: November 30, 2023

) Time: 1:30 p.m.

) Hearing: Via Tele/Video Conference

The motion of Victoria Castro (hereinafter "Movant") for an order terminating the automatic stay provisions of 11 U.S.C. §362 and permitting Movant to continue to prosecute an action pending in the superior court, state of California for personal injury, with the recovery of any damages solely against any applicable insurance proceeds came on regularly for hearing on November 30, 2023 before the Honorable Dennis Montali of the United States Bankruptcy Court, located at 450 Golden Gate Ave, 16th Floor, Courtroom 17, San Francisco, CA 94102.

Movant appeared through counsel Cheryl C. Rouse of the Law Offices of Rouse &

1 Bahlert. All other appearances are as noted on the record.

2 NOW THEREFORE, the Court, having duly considered the papers and pleadings on
3 file herein, the arguments of counsel, and being fully advised therein and finding good cause
4 therefor;

5 IT IS HEREBY ORDERED that the automatic stay provisions of 11 U.S.C. §362 be
6 and hereby are terminated immediately pursuant to 11 U.S.C. §362(d)(1) as to the pending
7 personal injury action entitled *Victoria Castro v. All Souls Catholic School; Archdiocese of*
8 *San Francisco Parish, et al*, Case No. 19-CIV-06416, filed in the Superior Court of
9 California, County of San Mateo (the “State Court Action”) so that Plaintiff may litigate the
10 State Court Action to final judgment (including any appeals) in accordance with applicable
11 nonbankruptcy law. Movant is permitted to enforce her final judgment only by collecting
12 upon any available insurance in accordance with applicable nonbankruptcy law.

13 IT IS FURTHER ORDERED that the provisions of F.R.B.P. Rule 4001(a)(3) be and
14 hereby are waived.

15 IT IS FURTHER ORDERED that this order is without prejudice to the Debtor or the
16 Committee seeking to reimpose the stay in the event the Debtor may incur defense costs in
17 connection with the State Court Action in excess of any applicable self-insured retention,
18 with Movant reserving her right to oppose any such request and/or assert a claim against the
19 estate in the event the stay is reimposed.

20 Approved as to form:

21 Felderstein Fitzgerald Willoughby Pascuzzi & Rios LLP

22 By: /s/ Paul J. Pascuzzi
23 Paul J. Pascuzzi
Counsel for the Debtor

24 Burns Bair LLP

25 By: /s/ Jesse Bair
Jesse Bair
26 Special Counsel to the Official Committee of Unsecured Creditors

27 ** END OF ORDER **
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COURT SERVICE LIST

ECF Recipients